

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

NATIONAL CREDIT UNION
ADMINISTRATION BOARD, etc.,

Plaintiff,

v.

BARCLAYS CAPITAL, INC., BCAP LLC,
and SECURITIZED ASSET BACKED
RECEIVABLES LLC,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 08/07/2015

Case No. 12-cv-2631 (JWL)

**STIPULATION AND [PROPOSED] ORDER REGARDING
THE APPLICATION OF THE SUPPLEMENTAL ORDER FOR
MATERIALS PRODUCED BY THE LIQUIDATING TRUSTEE FOR
PEOPLE'S CHOICE HOME LOAN, INC. TO THE *BARCLAYS KANSAS* ACTION**

WHEREAS, numerous RMBS actions brought by NCUA in the Central District of California, the District of Kansas, and the Southern District of New York were coordinated by these Courts in April 2014;

WHEREAS, the Courts issued certain orders to facilitate such coordination, including the Master Discovery Protocol ("MDP"), the Loan File Reunderwriting Protocol ("LFRP") and the Master Protective Order ("MPO");

WHEREAS, the *Barclays* action in the Southern District of New York (Case No. 13-cv-6727 (DLC)) was formally made subject to such coordination, but the *Barclays* action in the District of Kansas, Case No. 12-cv-2631 (JWL) ("*Barclays Kansas*"), was not because in April 2014 it had been dismissed in its entirety in the District Court and was pending appeal in the Tenth Circuit;

WHEREAS, on August 26, 2014, the Courts entered a Stipulation and Supplemental Protective Order for Materials Produced by the Liquidating Trustee for People's Choice Home

Loan, Inc. ("Supplemental Order") allowing NCUA access to materials made available by the Trustee of the Liquidating Trust of People's Choice Home Loan, Inc. ("Trustee") in other NCUA cases on the terms set forth in the Supplemental Order;

WHEREAS, the Tenth Circuit issued an opinion reversing the decision to dismiss *Barclays* Kansas on March 3, 2015;

WHEREAS, the Courts issued an order, on May 22, 2015, coordinating *Barclays* Kansas with the other pending RMBS actions under the MDP, LFRP, MPO and related orders;

WHEREAS, Plaintiff NCUA seeks certain records of People's Choice Home Loan, Inc. through a subpoena to the Trustee in *Barclays* Kansas and the parties wish for the Supplemental Order, entered in the other RMBS actions brought by NCUA, to apply to *Barclays* Kansas;

NOW, THEREFORE, in light of the foregoing, and for good cause shown, it is hereby stipulated and agreed by and among the Trustee and the parties to *Barclays* Kansas, subject to the approval of the Court, that the Supplemental Order shall apply to *Barclays* Kansas.

STIPULATED AND AGREED

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IT IS SO ORDERED.

Dated: August 7, 2015

/s/ Denise Cote

United States District Judge

Dated: August 7, 2015

/s/ George H. Wu

United States District Judge

Dated: August 7, 2015

/s/ John W. Lungstrum

United States District Judge

Dated: August 7, 2015

/s/ James P. O'Hara

United States Magistrate Judge